

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

'08 MJ 8520

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Moises LARA-Ibarra

Defendant.

Magistrate Case No.:

COMPLAINT FOR VIOLATION OF

21 U.S.C. § 952 and 960

Importation of a Controlled Substance
(Felony)

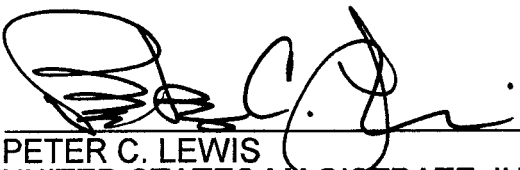
The undersigned complainant being duly sworn states:

That on or about June 7, 2008, within the Southern District of California, defendant Moises LARA-Ibarra did knowingly and intentionally import approximately 14.90 kilograms (32.78 pounds) of marijuana a Schedule I Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 952 and 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.


Special Agent
U.S. Immigration & Customs
Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 9TH,
DAY OF JUNE 2008.


PETER C. LEWIS
UNITED STATES MAGISTRATE JUDGE

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

PROBABLE CAUSE STATEMENT

I, Special Agent Daryl Christensen, Department of Homeland Security, Immigration and Customs Enforcement, declare under penalty of perjury, the following statement is true and correct:

On June 7, 2008, at approximately 1035 hours, Moises LARA-Ibarra entered the United States from the Republic of Mexico at the Calexico West Port of Entry. LARA-Ibarra was the driver, sole occupant and registered owner of a 2007 Honda Accord bearing Baja California, Mexico license AHG6049.

At primary inspection, LARA-Ibarra gave a negative Customs Declaration and presented a valid Mexican passport with a valid United States B1/B2 Visa to Customs and Border Protection Officer (CBPO) L. Parker. The vehicle was referred to secondary inspection after CBPO Parker received an Automated Targeting System (ATS) hit when he entered the license plate.

At secondary inspection, LARA-Ibarra again gave a negative Customs Declaration to CBPO S. German. During routine secondary questioning, LARA-Ibarra stated that he was on his way to pick up his grandmother in Calexico. CBPO S. Barela utilized his Narcotic Detector Dog and an alert was given to the area of the rocker panels.

Further search of the vehicle resulted in the discovery of a total of fourteen (14) packages in fabricated compartments in the rocker panels of the vehicle. A presumptive chemical test indicated the contents of these packages to be marijuana. The total weight of the fourteen (14) packages was approximately 14.90 kilograms (32.78 pounds).

LARA-Ibarra was advised of his rights per Miranda, which he acknowledged and agreed to be interviewed. LARA-Ibarra stated that he was the owner of the vehicle for approximately three months, but that he had registered it about one month prior. LARA-Ibarra, who stated his occupation as a lawyer, claimed that he had received the

1 vehicle as partial payment for defending two organized crime members on drug charges
2 in Mexico. LARA-Ibarra further stated that he was on his way to home Town Buffet in
3 Calexico to pick up his girlfriend.

4 Computer queries by SA Christensen showed that the vehicle had previously
5 been subject to intensive inspection and search by a Narcotic Detector Dog since it was
6 registered to LARA-Ibarra on May 2, 2008 in Baja California, Mexico.

7
8 Executed on June 8, 2008 at 1520 hours.

9
10 
11 SPECIAL AGENT

12 On the basis of the facts presented in the attached probable cause statement
13 consisting of 2 pages, I find probable cause to believe that the defendant named in this
14 probable cause statement committed the offense on ~~October 28, 2006~~ ^{June 7, 2008} in violation of
15 Title 21, United States Code, Sections 952 and 960.

16
17 
18 United States Magistrate Judge

19 6/8/2008 at 4:00 p.m.
20 Date/Time
21
22
23
24
25
26
27
28
29